

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL	
	Chapter 12: Foster Family Home Licensing	Effective Date: October 1, 2012
	Section 17: Probationary Status	Version: 3

POLICY **[REVISED]**

[REVISED] The Indiana Department of Child Services (DCS) Central Office Licensing Unit Manager, or designee, may revise a license to a probationary status for noncompliance with licensing regulations upon recommendation from the Local Office or from a Licensed Child Placing Agency (LCPA).

A licensee with a current valid license may be revised to a probationary status. The probationary status:

1. Will be issued for a specific time period, not to exceed 12 months;
2. May not extend past the expiration date of the license; and
3. May be issued to any licensee if:
 - a. The noncompliance is safety related but does not present an immediate threat to the safety, health or well-being of the child,
 - b. The licensing agency files a [Corrective Action Plan \(SF53171\)](#) with the Central Office Licensing Unit using the Management Gateway for Indiana's Kids (MaGIK) to correct the areas of noncompliance within the probationary period, and
 - c. The Central Office Licensing Unit approves the plan.

Note: If a foster family home is placed on probation, no new placements can be made in the home until the home is removed from probationary status. The licensing worker¹ should initiate a placement hold in MaGIK.

If the non-compliance is not safety related, a [Corrective Action Plan \(SF53171\)](#) without probation can be implemented for violations of the following:

1. DCS policy;
2. Indiana statute; or
3. Administrative rule.

The licensing worker can recommend the revocation of a license if a licensee fails to meet the terms of the probation or corrective action plan. See separate policy, [12.21 Revocations](#).

Code Reference

[IC 31-27-4-17: Probationary status; duration; expiration; extension](#)

¹ The licensing worker refers to the DCS Regional Foster Care Specialist (RFCS) or the Licensed Child Placing Agency worker

PROCEDURE

The licensing worker may request a probationary status for a foster family home by completing the following steps:

1. Work with the family to create a plan of correction;
2. Enter the plan for corrective action into MaGIK;
3. Submit to the local DCS office or LCPA director the required plan of correction stating the noncompliance, the method of correction, and the date that compliance will be achieved;
4. DCS local offices will submit the revision for the probationary status to the DCS Local Office Director or designee for endorsement prior to submission to the Central Office Licensing Unit; and
5. LCPAs will submit the revision for the probationary status to the Central Office Licensing Unit for approval.

The Central Office Licensing Unit Manager will approve or deny the request for the probationary status within 30 business days.

At the end of the probationary status period, the licensing worker will take one of the following actions:

1. Upon successful completion of the corrective action plan:
 - a. Enter the family's compliance into MaGIK,
 - b. DCS local offices will submit the request for reinstatement of the original license to the DCS Local Office Director, or designee, for endorsement prior to submission to the Central Office Licensing Unit,
 - c. LCPAs will submit the request for reinstatement of the original license to the Central Office Licensing Unit for approval, and
 - d. The Central Office Licensing Unit Manager will:
 - 1) Approve or deny the request for licensure reinstatement within 30 business days; and
 - 2) Print and mail a license to the family if the request has been approved.
2. Upon the family's noncompliance, process the recommendation for revocation in MaGIK. See separate policy, [12.21 Revocations](#).

The licensing worker may request a [Corrective Action Plan \(SF53171\)](#) without probationary status by:

1. Signing the plan;
2. Obtaining the foster parent's signature; and
3. Submitting it to the LOD or designee for approval.

The LOD will:

1. Approve or deny the request for a [Corrective Action Plan \(SF53171\)](#) without probationary status; and
2. Notify the licensing worker within seven (7) business days.

If approved the licensing worker must:

1. Place a copy of the [Corrective Action Plan \(SF53171\)](#) without probationary status in the licensing file;
2. Monitor the [Corrective Action Plan \(SF53171\)](#) and ensure compliance occurs:

- a. The Corrective Action Plan can be in place for up to six (6) months,
- b. If the foster family home meets all the requirements prior to six (6) months, the family should be notified in writing that they have been removed from the Corrective Action Plan, and
- c. If the licensed foster family has made substantial progress over a period of six (6) months but has not yet met the licensure requirements, then the licensing worker can consider requesting an extension of up to six (6) months.

Note: If the foster parent refuses to sign the [Corrective Action Plan \(SF53171\)](#) and fails to voluntarily relinquish his or her license, the licensing worker must submit a recommendation to revoke to the LOD. See separate policy, [12.21 Revocations](#).

PRACTICE GUIDANCE

N/A

FORMS AND TOOLS

[Corrective Action Plan \(SF53171\)](#)

RELATED INFORMATION

[REVISED] Examples of the use of a plan of correction without probation:

1. Lack of training hours;
2. Licensing paperwork not completed; and/or
3. Licensing complaints.
4. Background checks not completed.

The Corrective Action Plan

The purpose of the Corrective Action Plan is to support the foster parent in the development and utilization of more appropriate methods of meeting the needs of children under DCS care and supervision. In addition, the Corrective Action Plan clarifies the role of DCS and the foster parent to prevent further violations of DCS policy. The Corrective Action Plan serves as a supportive intervention rather than a punitive intervention.